

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BRIAN HOPKINS, LIANA HOPKINS and
SEAN HOPKINS,

Plaintiffs

v.

NATIONAL RAILROAD PASSENGER
CORPORATION a/k/a AMTRAK and
MASSCHUSETTS BAY TRANSPORTATION
AUTHORITY,

Defendants

08 CV 2965 (NGG)(RML)

SECOND DECLARATION OF RUSSELL X. POLLOCK

I, Russell X. Pollock, pursuant to 28 USC § 1746, do hereby state under the penalty of perjury, that the following is true and correct:

1. I am a Member of the law firm of Bergstresser & Pollock LLC, attorneys for Brian Hopkins, Liana Hopkins and Sean Hopkins in this case and as such I am familiar with the matters herein.

2. I respectfully submit this Declaration in support of Plaintiffs' Sur-Reply Memorandum in Opposition to Defendants' Motion for Summary Judgment.

3. Annexed as Exhibits 28 – 30 are true and accurate copies of the following documents:

Exhibit 28 May 5, 2011 Deposition of Amtrak 30(b)(6) witness Robert Verhelle, pages 78-80.

Exhibit 29 Affidavit of Norman D. Bates.

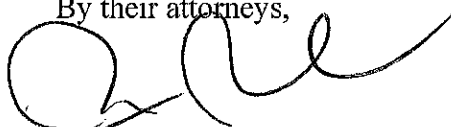
Exhibit 30 Affidavit of Richard Gill.

Exhibit 31 Affidavit of James J. Rogers.

Dated: May 14, 2012
Boston, MA

**BRIAN HOPKINS,
LIANA HOPKINS AND SEAN HOPKINS,
PLAINTIFFS,**

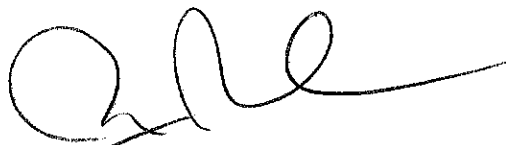
By their attorneys,



Russell X. Pollock, Esq. (Bar Code RP6970)
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2012, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the attorneys of record for all parties of record.



Russell X. Pollock (RP6970)